



**TIFFANY & BOSCO**  
P.A.

Dated: March 24, 2010

**2525 EAST CAMELBACK ROAD**

**SUITE 300**

**PHOENIX, ARIZONA 85016**

**TELEPHONE: (602) 255-6000**

**FACSIMILE: (602) 255-0192**

A handwritten signature in black ink, appearing to read "George B. Nielsen, Jr.", is written over a horizontal line.

**GEORGE B. NIELSEN, JR**  
**U.S. Bankruptcy Judge**

Mark S. Bosco  
State Bar No. 010167  
Leonard J. McDonald  
State Bar No. 014228  
Attorneys for Movant

10-03450

**IN THE UNITED STATES BANKRUPTCY COURT**

**FOR THE DISTRICT OF ARIZONA**

IN RE:

No. 2:10-BK-02720-GBN

Ralph Henry Candelario  
Debtor.

Chapter 7

ORDER

The Bank of New York Mellon, fka The Bank of  
New York as Successor in interest to JP Morgan  
Chase Bank NA as Trustee for Structured Asset  
Mortgage Investments II Inc. Bear Stearns ALT-A  
Trust 2005-5, Mortgage Pass-Through Certificates,  
Series 2005-5

(Related to Docket #9)

Movant,

vs.

Ralph Henry Candelario, Debtor, Jill H. Ford,  
Trustee.

Respondents.

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

1 IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed  
2 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real  
3 property which is the subject of a Deed of Trust dated February 25, 2005 and recorded in the office of the  
4 Maricopa County Recorder wherein The Bank of New York Mellon, fka The Bank of New York as  
5 Successor in interest to JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments  
6 II Inc. Bear Stearns ALT-A Trust 2005-5, Mortgage Pass-Through Certificates, Series 2005-5 is the  
7 current beneficiary and Ralph Henry Candelario has an interest in, further described as:

8 Lot 18, THE GARDENS PARCEL 4, according to Book 562 of Maps, page 20, records of  
9 Maricopa County, Arizona.

10 IT IS FURTHER ORDERED that Movant may contact the Debtor by telephone or written  
11 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance  
12 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement  
13 with Debtor. However, Movant may not enforce, or threaten to enforce, any personal liability against  
14 Debtor if Debtors personal liability is discharged in this bankruptcy case.

15 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter  
16 to which the Debtor may convert.

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